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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,237	06/24/2003	Andrea Collavo	1719-60	8525

7590

03/08/2006

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EXAMINER

DAO, MINH D

ART UNIT PAPER NUMBER

2682

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/602,237	Applicant(s) COLLAVO ET AL.	
	Examiner MINH D. DAO	Art Unit 2682	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 29702001 in view of Baratono et al. (US 6,625,426) and further in view of DeLine et al. (US 6,420,975).

Regarding claim 1, DE 29702001 teaches a control device with remote control of a cellular mobile phone for a component inside the cabin of a motor vehicle, said control device comprising: a container (see figs. 2 and 3, item 3; also see abstract of DE 29702001), in which along one side said container is comprised of: a basic keyboard (see figs. 2 and 3, item 331), wherein said container is arranged to internally house a and also an electronic component comprising a transmitting/receiving system able to communicate with a cellular phone provided with a wireless communication system (see figs. 2 and 3, item 3; also see abstract of DE 29702001). However, DE 29702001 fails to disclose that the container comprises a microphone, a display and a speaker internally housed in the container. Baratono, in an analogous art, teaches a combined rear view mirror and telephone including a microphone, a display and a speaker

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internally housed in the container (see fig. 1, items 36,38; also see col . 3, lines 42-54).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of Baratono to DE 29702001 in order to for the user to see the dialed number and to be able to communicate with the mobile phone wirlessly.

Still regarding claim 1, the combination of DE 29702001 and Baratono, as mentioned above, does not teach an ON/OFF/Voice Activation switch. DeLine, in an analogous art, teaches a Voice Activation switch that can manually activated (see col. 10, line 54 to col. 11, line 4). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide the teaching of DeLine to Baratono and DE 29702001 for the benefit of being able to access the phone without having to navigate through the function buttons of the phone while driving the car.

Regarding claim 2, the combination of DE 29702001, Baratono, and DeLine teaches control device with remote control of the mobile phone according to claim 1, wherein said container is integrated in a component that also is comprised of a rear view mirror (see fig. 1 of Baratono).

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Regarding claim 3, the combination of DE 29702001, Baratono, and DeLine teaches a control device with remote control of a cellular mobile phone according to claim 1, wherein said container is integrated into a sun visor (see fig. Figs. 2 and 3 of Baratono. In this case, since the clips 126 of Baratono is capable of attaching the phone to the mirror, it obvious that these clips can also be used to attach the phone to the sun visor of the vehicle.

Regarding claim 4, the combination of DE 29702001, Baratono, and DeLine teaches Control device with remote control of the mobile phone according to claim 1, wherein said container is detachable from the component housing the rear view mirror (see Baratono, col. 5, lines 57-63).

Regarding claim 5, the combination of DE 29702001, Baratono, and DeLine teaches Control device with remote control of the mobile phone according to claim 1, wherein said container is detachable from the sun visor (see Baratono, col. 5, lines 57-63).

Regarding claim 6, since the combination of DE 29702001, Baratono, and DeLine teaches all limitations of claim 6, it is also obvious that one can place the elements in an order as claimed in claim 6 (see fig. 6 of Baratono).

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Regarding claim 7, the combination of DE 29702001, Baratono, and DeLine teaches a control device with remote control of the mobile phone according to claim 1 further comprising a reciprocal coupling means to a shell portion of an inside component for the cabin being externally provided (see fig. 2 of Baratono).

Regarding claim 8, the combination of DE 29702001, Baratono, and DeLine teaches the control device with remote control of the mobile phone according to claim 1 further comprising a power supply of the control device with remote control having a low tension dedicated line in the car component, and/or providing an individual power supply of the solar cell type, with an eventual internal accumulator (see Baratono, col. 4, lines 53-64).

Regarding claim 9, the combination of DE 29702001, Baratono, and DeLine teaches the Control device with remote control of the mobile phone according to claim 1 further comprising a cellular mobile phone in communication therewith, said cellular mobile phone using an additional wireless transmitting/receiving interactive module, which on one hand connectable to said cellular phone by a universal attachment, while on the other hand is provided with a socket for the connection of a power supply plug by means of a traditional cigarette lighter socket (see fig. 2 of DE 29702001).

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D. DAO whose telephone number is 571-272-7851. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DORIS TO can be reached on 571-272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao *md*  
AU 2618  
March 3, 2006

*Quochien B. Vuong* 3/4/06  
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PRIMARY EXAMINER